

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

AARON SARTOR,

Plaintiff,

V.

No. 1:24-cv-01031-JDB-cgc

MARTIN O'MALLEY,

Commissioner of Social Security,

Defendant.

ORDER REMANDING CASE TO THE SOCIAL SECURITY ADMINISTRATION

The Commissioner of Social Security has moved to reverse the decision of the Administrative Law Judge (ALJ) and remand this action to the Commissioner. (Docket Entry 11.) Remand will expedite administrative review, ensure that the Commissioner can fully consider Plaintiff's claim, and may make judicial review unnecessary. Remand is appropriate under 42 U.S.C. § 405(g), which provides in relevant part:

The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.

See also Melkonyan v. Sullivan, 501 U.S. 89 (1991); *Newkirk v. Shalala*, 25 F.3d 316, 318 (6th Cir. 1994).

For the foregoing reasons, because the motion is unopposed, and pursuant to the Supreme Court's decision in *Shalala v. Schaefer*, 509 U.S. 292 (1993), the decision of the ALJ is REVERSED and this case is REMANDED to the Commissioner under 42 U.S.C. § 405(g).

IT IS SO ORDERED this 22nd day of March 2024.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE